

PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, pursuant to Utah Code Ann. § 53-2a-208 *et seq.* and Spanish Fork Municipal Code § 2.12.010, the Mayor of Spanish Fork City ("City") is the Chief Executive Officer of the City and Chair of the City Council, which holds all executive and administrative powers that have not otherwise been delegated to the City Manager, and as such has authority to declare a local emergency;

WHEREAS this declaration of a local emergency is official recognition that a local emergency exists within the City, provides a legal basis for requesting and obtaining state or federal government disaster assistance, activates the response and recovery aspects of all applicable local disaster emergency plans, and authorizes the furnishing of aid and assistance pursuant thereto;

WHEREAS Governor Cox has also issued Executive Order 2023-05 declaring a state of emergency related to protecting people and property from flooding and potential flooding;

WHEREAS this proclamation of a local emergency is based upon many of the same findings as the Governor's Executive Order, and I further find specifically that a disaster has occurred or the occurrence or threat of a disaster is imminent in an area of Spanish Fork City and the City requires additional assistance to supplement the response and recovery efforts of the City;

WHEREAS the unusual high levels of snowpack and snow water equivalent have affected the State of Utah and Spanish Fork City, which constitutes a condition appropriate for the declaration of a local emergency according to the laws of the State of Utah;

WHEREAS the potential flooding could impact the City infrastructure, including the drinking and pressurized irrigation systems, sewer system, storm drain system, parks and trails system, and other public facilities, as well as significant impact to private property; and

WHEREAS the cost and magnitude of responding to and recovering from the impact of this flooding event far exceeds the City's available resources;

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF SPANISH FORK CITY, UTAH, AS FOLLOWS:

1. Pursuant to Utah Code Ann. § 53-2a-208, I, Mayor Mike Mendenhall, the Chief Executive Officer of Spanish Fork City, a political subdivision of the

State of Utah, and holding all executive and administrative authority not otherwise delegated to the City Manager, do hereby proclaim a Local Emergency exists in Spanish Fork City, Utah, on this 1st day of May, 2023.

2. The nature of the local emergency is the actual and potential flooding of the Spanish Fork River and other areas within Spanish Fork City that are prone to flooding and the consequential risks to the health, safety, and welfare of Spanish Fork residents.
3. The area affected or threatened is the entire area of Spanish Fork City with particular concern near the Spanish Fork River and other streams, canals, and waterways.
4. The condition which caused the emergency is unusually high accumulation of snowfall and the high level of snow water equivalent within the Spanish Fork River drainage and other areas contributing springtime runoff within Spanish Fork City. This high level of snow water equivalent, coupled with warming days, creates a high likelihood of significant flooding within the City.
5. This proclamation shall take effect immediately, be declared to be ongoing, and, unless extended by the City Council, shall expire the earlier of:
 - a. the day on which the Mayor finds that:
 - i. the threat or danger has passed;
 - ii. the disaster reduced to the extent that emergency conditions no longer exist; or
 - iii. the City no longer requires state government assistance to supplement the response and recovery efforts of the City;
 - b. 30 days after the day on which the Mayor declares the state of emergency; or
 - c. the day on which the Spanish Fork City Council terminates the local emergency by majority vote.
6. Spanish Fork City has coordinated with and may request additional assistance from Utah County, the State of Utah, and the federal government in responding to this local emergency.
7. This Proclamation of Local Emergency shall be filed promptly with the office of the City Recorder.

DATED: May 1, 2023.


MIKE MENDENHALL, Mayor

Attest:


TARA SILVER, City Recorder

